

REMARKS

Claims 1-10, 13-25, and 28-52 are pending. Claims 1-10, 13-25, and 28 are allowed. Claim 29 is rejected under 35 U.S.C. § 102(e). Claims 30-34 and 37-52 are rejected under 35 U.S.C. § 103(a). Claims 35-36 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 29 and 41 are currently amended.

Independent claims 29 and 41 were previously amended to recite "A method of communicating with a remote communication circuit according to a Bluetooth™ modified frequency hopping sequence." Examiner has not given patentable weight to this limitation as being part of the preamble of each claim. In view of Examiner's decision, applicants respectfully submit that cancellation of this limitation does not change the scope of claims 29 and 41. Moreover, cancellation of this limitation reduces the issues related to patentability and places claims 29 and 41 in a better condition for appeal. Therefore, applicants have amended claims 29 and 41 to cancel this limitation.

Independent claim 29 is rejected under 35 U.S.C. § 102(e) as being anticipated by Miyake et al. (U.S. Pat. No. 6,678,341). Referring to Figure 4A of the instant specification, claim 29, as amended, recites "A method of communicating with a remote communication circuit (master M), comprising the steps of: transmitting a first plurality of data signals (S1, 42, 43) to the remote communication circuit on a first sequence of respective frequencies (f2, f4); and receiving a second plurality of data signals (M, 42, 43) from the remote communication circuit on the first sequence of respective frequencies (f2, f4)." (identification numerals added). According to the embodiment of Figure 4A, both the slave S1 and master M use the same "first sequence of respective frequencies" for transmission. Examiner has cited column 5, lines 33-44 of Miyake et al. as an anticipatory disclosure of these features. Therein with reference to Figure 2, Miyake et al. disclose that the transmitting and receiving terminals have "the same frequency hopping timing (t1) and the same

frequency hopping pattern.” This must generally be true of all frequency hopping systems if they are to communicate with each other and is also illustrated by the normal Bluetooth hopping pattern (40) of Figure 4A. However, this is very different from the invention of claim 29. Miyake et al. disclose that when a first terminal transmits on frequency f1 at time t1, a second terminal receives on frequency f1 at time t1. When the roles are reversed, the first terminal receives on frequency f3 at time t2 when the second terminal transmits on frequency f3 at time t2. Miyake et al. do not disclose that both the slave first and second terminals use the same “first sequence of respective frequencies” for transmission. Thus, claim 29 is patentable under 35 U.S.C. § 102(e) over Miyake et al. Moreover, depending claims 30-40 are patentable as depending from patentable base claim 29.

Independent claim 41 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Acampora et al. (System Applications for Wireless Indoor Communications) in view of Miyake et al. Referring to Figure 4A, independent claim 41, as amended, recites “A method of communicating with a remote communication circuit, comprising the steps of: receiving a first data signal (S1, 42) from a plurality of antennas on a respective frequency (f2) of a frequency hopping pattern; calculating a respective weighting coefficient corresponding to each antenna of the plurality of antennas; multiplying a second data signal by the respective weighting coefficient of said each antenna, thereby producing a respective second weighted data signal corresponding to said each antenna; and transmitting each said respective second weighted data signal (M, 42) at the corresponding said each antenna of the plurality of antennas on the respective frequency (f2).” (identification numerals added). Claim 41, therefore, requires receiving from the remote communication circuit on a respective frequency of a frequency hopping pattern and transmitting to the remote communication circuit on the same respective frequency of the frequency hopping pattern. As previously discussed with regard to claim 29, these features of the present invention are not disclosed by any of the cited references, taken alone or in combination. Thus, claim 41 is patentable under 35 U.S.C. § 103(a) over Acampora et al. in view of Miyake et al. Moreover, depending claims 42-52 are patentable as depending from patentable base claim 41.

In view of the foregoing, applicants respectfully request reconsideration and allowance of claims 29-52. If the Examiner finds any issue that is unresolved, please call applicants' attorney by dialing the telephone number printed below.

Respectfully submitted,



Robert N. Rountree
Attorney for Applicants
Reg. No. 39,347

Robert N. Rountree, LLC
70360 Highway 69
Cotopaxi, CO 81223
Phone/Fax: (719) 783-0990